

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brown et al.

Attorney Docket No. ROYG-1-1001

Filed:

Application No.:

Title: MOTION CONTROL SYSTEM AND METHOD

**COMBINED DECLARATION AND POWER OF ATTORNEY  
IN PATENT APPLICATION**

As the inventors of the invention disclosed in the patent application entitled MOTION CONTROL SYSTEM AND METHOD, we each hereby declare as follows:

Our residences, post office addresses and citizenship are:

David W. Brown  
White Salmon, WA  
U.S. Citizen

Jay S. Clark  
Seattle, WA  
U.S. Citizen

I believe that we are the original, first and sole inventors of the subject matter that is claimed and for which patent is sought on the invention entitled "MOTION CONTROL SYSTEM AND METHOD," the specification of which is attached to this declaration.

I have reviewed and understand the contents of the MOTION CONTROL SYSTEM AND METHOD patent application, including the claims.

I acknowledge the duty to disclose information, which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any of the following foreign applications for patent or inventor's certificates: NONE.

I hereby claim the benefit under Title 35, United States Code, §120 of the following United States applications, as well as any specifically listed within the present patent application: NONE.

I hereby appoint the following attorneys and agents to prosecute this application and to transact all related business in the Patent and Trademark Office or the Courts: Richard T. Black, Washington State Bar No. 20,899 and PTO Reg. No. 40,514; David A. Lowe, Washington State Bar No. 24,453 and PTO Reg. No. 39,281; Lawrence D. Graham, Washington State Bar No. 25,402 and PTO Reg. No. 40,001; Michael S. Smith PTO Reg. No. 39,563 and Mark L. Lorbiecki, Washington State Bar No. 16,796 and PTO Reg. No. 45,643

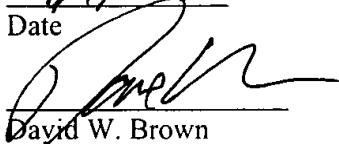
BLACK LOWE & GRAHAM<sup>TM</sup>

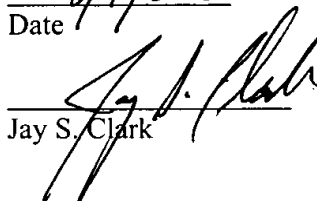
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1 Address all communications to:

2 Lawrence D. Graham  
3 Black Lowe & Graham<sup>PLLC</sup>  
4 816 Second Avenue  
5 Seattle, Washington 98104  
6 Direct Dial: 206.381.3304  
7 Facsimile: 206.381.3301

8 I hereby further declare that all statements made herein of my own knowledge are true and  
9 that all statements made on information and belief are believed to be true; and further that  
10 these statements were made with the knowledge that willful false statements and the like so  
11 made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the  
12 United States Code, and that such willful false statements may jeopardize the validity of the  
13 application or any patent issued thereon.

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Date 8/7/2003  
  
David W. Brown

Date 8/7/2003  
  
Jay S. Clark

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**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. §§ 1.9(f) and 1.27(c)) – SMALL BUSINESS CONCERN**

I am an official of Roy-G-Biv Corporation, 401 Bingen Point Way, Suite 4, Bingen, Washington 98605, and am empowered to act on its behalf.


Roy-G-Biv Corporation qualifies as a small business concern as defined in 13 C.F.R. § 121 and 37 C.F.R. § 1.9(d) for purposes of paying reduced fees to the Patent and Trademark Office.

Rights under contract or law have been conveyed to and remain with Roy-G-Biv Corporation with regard to the invention described in the patent application entitled "MOTION CONTROL SYSTEM AND METHOD."

I understand that if the rights held by Roy-G-Biv Corporation are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities. No rights to the invention are held by any person or by any concern that would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

  
\_\_\_\_\_  
David W. Brown  
President  
Roy-G-Biv Corporation

8/7/2000  
\_\_\_\_\_  
Date